

REISSUE APPLICATION DECLARATION BY THE INVENTORDocket Number (Optional)
020824-001110US

I hereby declare that:

Each Inventor's residence, mailing address and citizenship are stated below next to my name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 5,877,458, granted March 2, 1999, and for which a reissue patent is sought on the invention entitled Surface Position Location System and Method,

the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as reissue application number _____
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

- ☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The at least one error upon which reissue is based includes the recitation of, *inter alia*, the phrase "K spaced apart contacts and disposed to selectively apply a signal to N of said K contact points relative to a signal neutral point, and where N has an integer value of 3 to K" in claim 1. The inclusion of this phrase in claim 1 renders the original patent wholly or partly inoperative or invalid, because embodiments of the invention are not limited to electrographic sensor units including this feature. For example, some embodiments of the invention may be directed to probe assemblies (see, e.g., column 4, line 66 to column 5, line 18) that can be used in, for example, electrographic sensor units that do not have a processor connected to "K spaced apart contacts and disposed to selectively apply a signal to N of said K contact points relative to a signal neutral point, and where N has an integer value of 3 to K".

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

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All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81.

Correspondence Address: Direct all communications about the application to:

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

20350

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Mark Flowers

Inventor's signature

Date

9-15-03

Residence
Los Gatos, CACitizenship
United StatesMailing Address
119 Los Patios, Los Gatos, CA 95032

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

Please type a plus sign (+) inside this box → +

PTO/SB/81 (10-00)
Approved for use through 10/31/2002. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	Unassigned
	Filing Dat	Herewith
	First Named Inventor	Mark Flowers
	Group Art Unit	2673
	Examiner Name	Vijay Shankar
	Attorney Docket Number	020824-001110

I hereby appoint:

☒ Practitioners at Customer Number
OR

20350

Place Customer
Number Bar Code
Label here

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name	Townsend and Townsend and Crew LLP			
Address	Two Embarcadero Center			
Address	Eighth Floor			
City	San Francisco	State	California	ZIP 94111-3834
Country	USA			
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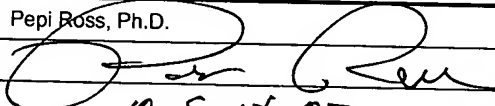
I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Pepi Ross, Ph.D.
Signature	
Date	10 Sept 03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11191119 v1

**REISSUE APPLICATION: CONSENT OF ASSIGNEE;
STATEMENT OF NON-ASSIGNMENT**

Docket Number (Optional)
020824001110

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)

Mark Flowers

Patent Number

5,877,458

Date Patent Issued

03/02/1999

Title of Invention

SURFACE POSITION LOCATION SYSTEM AND METHOD

1. ☒ Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)

2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are LEAPFROG ENTERPRISES, INC. and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)

Signature

Date

10 Sept 03

Typed or printed name and title of person signing for assignee (if assigned)

Pepi Ross, Ph.D.

Director of Legal Affairs

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11191140 v1

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Mark Flowers

Application No./Patent No.: 5,877,458 / 09/796,685 Filed/Issue Date: 03/02/1999 / 02/28/2001

Entitled: SURFACE POSITION LOCATION SYSTEM AND METHOD

LEAPFROG ENTERPRISES, INC., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Mark Flowers To: Explore Technologies
The document was recorded in the United States Patent and Trademark Office at Reel 8787, Frame 0221, or for which a copy thereof is attached.
2. From: Explore Technologies To: KKE/Explore Acquisition Corp.
The document was recorded in the United States Patent and Trademark Office at Reel 9396, Frame 0779, or for which a copy thereof is attached.
3. From: KKE/Explore Acquisition Corp. To: Knowledge Kids Enterprises, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 012475, Frame 0860, or for which a copy thereof is attached.
4. From: Knowledge Kids Enterprises, Inc. To: LeapFrog Enterprises, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 012641, Frame 0845, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.


☐ Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

11 Sept. 2003

Date


Signature

Pepi Ross, Ph.D.

Typed or printed name

Director of Legal Affairs

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.